

EXHIBIT E

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

4 IN RE: NATIONAL) MDL No. 2804
5 PRESCRIPTION OPIATE)
6 LITIGATION) Case No.
7) 1:17-MD-2804
8)
9 THIS DOCUMENT RELATES TO) Hon. Dan A.
10 ALL CASES) Polster
11)

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Tuesday, May 14, 2019

HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
CONFIDENTIALITY REVIEW

Videotaped Deposition of JAMES E.
RAFALSKI, VOLUME 2, held at Weitz &
Luxenburg PC, 3011 West Grand Avenue, Suite
2150, Detroit, Michigan, commencing at
8:25 a.m., on the above date, before
Michael E. Miller, Fellow of the Academy of
Professional Reporters, Registered Diplomate
Reporter, Certified Realtime Reporter and
Notary Public.

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1 reviewed any particular orders, and I think
2 your answer in substance is no, you didn't
3 review any particular orders that might or
4 might not have been suspicious.

5 Is that generally true?

6 A. That's generally true, that's
7 my recollection is I answered that way
8 previously, too, yes, sir.

9 Q. And with respect to any of the
10 orders that are flagged by these
11 methodologies under your and Mr. McCann's
12 analysis, you don't know what happened to any
13 of the drugs that were actually shipped and
14 delivered to CVS Pharmacies?

15 A. I don't have any direct
16 knowledge of what happened to any of the
17 drugs that were distributed to each of the
18 pharmacies. I didn't conduct any analysis as
19 of today that would give me that knowledge.

20 Q. And you don't know whether -- I
21 understand that your opinion is that the due
22 diligence was insufficient by CVS, and we'll
23 get to that in a minute.

24 But you don't know whether any
25 of these orders would have cleared a due